



**HUMAN RESOURCES OFFICE  
TECHNICIAN / AGR ADMINISTRATIVE INSTRUCTION**

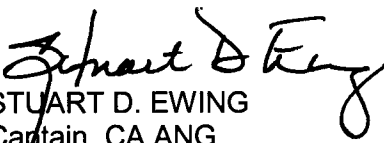
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**RE-ISSUE**

**LEAVE FOR PREGNANCY, CHILDBIRTH, AND INCAPACITATION**

1. **This TAAI supercedes all other TAAI's on this subject.**
2. The Family Medical Leave Act (FMLA) has amended the definition of "serious health condition" to include childbirth and incapacitation following childbirth. In the past, birth mothers were entitled to use accrued sick leave for medical appointments, hospitalization, and incapacitation following childbirth. Birth mothers could also use advanced annual leave (the remainder of annual leave that would be accrued for the leave year). The amendment to FMLA allows the following:
  - a. **Advanced Sick Leave:** A maximum of 30 days may be approved to a birth mother during her period of incapacitation for pregnancy and childbirth (must provide administratively acceptable evidence of the period of incapacitation). A birth father may be advanced up to five days (40 hours) to care for the mother during her period of incapacitation.
  - b. **Donated Annual Leave:** Once a birth mother has exhausted her own available accrued leave, she may request donated leave. Donated annual leave may be requested for a medical emergency, e.g., **the birth mother's period of incapacitation (normally six weeks); or the illness of a child.**
3. Each parent is entitled to use a total of up to 12 weeks of leave without pay under FMLA for the birth of a child and care of the newborn. Subject to supervisory approval, FMLA leave may be used on an intermittent basis for absences in connection with childbirth and care of the newborn.
4. If you have questions, contact Nancy Hamilton, Human Resources Specialist, at CAGNET 63411, DSN 466-3411 or (916) 854-3411.

  
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